

R U L E S

FOR THE

GOVERNMENT

OF THE

A R M Y.

R U L E S

FOR THE

GOVERNMENT

OF THE

A R M Y

R U L E S

F O R T H E

G O V E R N M E N T

O F

His M A J E S T Y ' s F o r c e s b y L a n d ,

D U R I N G T H E

P r e s e n t W A R .

Of the greatest Use to all Officers, Commanders, and even Common Soldiers.

With Submission to his Royal Highness the Duke of
C U M B E R L A N D .

By an Old Experienced O F F I C E R .

L O N D O N

Printed : And Sold by all the Bookfellers and Pamphlet-Shops in *London*, and elsewhere.

[Price One Shilling.]

[1745]

R U L E S

FOR THE

GOVERNMENT

OF

His Majesty's Forces by Land

During the

Reign of W A R.

Of the general Use to all Of
Officers, Commanders, and even Com-
mon Soldiers.

By an Act of Parliament in the Days of
CHARLES II.

By an Act of Parliament of WILLIAM III.

L O N D O N

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ARTICLES

AND

RULES

For the better Government
of His Majesty's Forces by Land
during this present W A R.

A. R. T. I.

ALL Officers and Soldiers (not having just Impediment) shall diligently frequent Divine Service and Sermon, on Sundays, and other days, especially Festivals, or days set apart for publick Fasting and Humiliation, in such places as shall be appointed for the Regiment wherein they serve. And for those who
B either

Divine Service and Sermon is to be frequented.

Duties to Almighty God.

The Penalty of absenting from Divine Service, or irreverent behaviour during the same.

1. If Officer.
2. If Sold.

either wilfully or negligently absent themselves from Divine Service or Sermon, or else, being present, do behave themselves undecently or irreverently during the same; if they be Officers, they shall be severely reprimanded at a Court-Martial; but if Soldiers, they shall for every such first offence, forfeit each Man twelve Pence, to be deducted out of his next Pay; and for the second Offence, shall forfeit twelve Pence, and be laid in Irons for twelve Hours. And for every like offence afterwards, shall suffer and pay in like manner.

A R T. II.

No Commodity to be put to sale in time of Divine Service or

During the time of Divine Service, publick Prayers, and Sermon, as aforesaid, if any Sutler, or Seller of Ale, Beer, Wine, or any

Duties to Almighty God.

3

ab- any sort of Drinks, Bread, Vic- Sermon, on
vice tuals, or other Commodities or Sundays or
ent, Merchandize whatsoever, attend- Holy-days.
ntly ing the Army, shall put or set
; if any such thing to Sale, he shall
se- forfeit the full value thereof, for The
urt- the Use of the Poor. Penalty.

A R T. III.

Whoever shall use any Unlaw- The Pe-
ful Oath or Execration (whether nalty of
And Officer or Soldier) shall incur the Swearing
rds, same Penalty that is expressed in or Cursing;
nan- the first Article.

A R T. IV.

Ser- If any Officer or Soldier, shall The Pe-
Ser- presume to blaspheme the Holy nalty of
tler, and undivided Trinity, or the Per- blasphem-
or sons of God the Father, God the ing the Per-
any sons of the Son, sons of the

Duties to Almighty God.

Holy Trinity, or speaking against any known Article of the Christian Faith.

Son, God the Holy Ghost ; or shall presume to speak against any known Article of the Christian Faith, he shall have his Tongue bored through with a red hot Iron.

A R T. 5.

The Penalty of prophaning Churches, or offering violence to Chaplains or Ministers.

If any Officer or Soldier shall abuse or prophane any place dedicated to the Worship of God, or shall offer violence to any Chaplain of the Army, or any other Minister of God's Word, he shall suffer such punishment, as shall be inflicted on him by a Court-Martial.

The Penalty of Robbing Churches or Chapels.

But whoever shall take any of the Utenfils, or Ornaments, belonging, or dedicated to God's Worship in any Church or Chapel, shall suffer death for the Fact.

A R T. VI.

After the Service of God Almighty, all Officers and Soldiers shall serve Us faithfully to the best of their Skill, Power, and Understanding. And for that Purpose, every one of them, of what Quality or Condition soever, shall for himself take the following Oath, which shall be administred by such Person or Persons, and in such Places, as Ourself or Our General shall appoint.

All Officers and Soldiers are to take the Oath of Fidelity. To be administred as the King or General shall appoint.

The Oath of Fidelity, to be taken by every Officer and Soldier in the Army.

I A. B. *do swear to be true and faithful to my Sovereign Lord King GEORGE II, and to his Heirs and lawful Successors ; and*

The Oath of Fidelity to be taken by all Officers and Soldiers whatsoever.

*Duties to His Sacred Majesty,
to be obedient in all Things to His
General or Lieutenant-General, for
the Time being; and will behave my
self obediently towards my superior
Officers, in all they shall command
me for His Majesty's Service. And
I do further swear, That I will
be a true, faithful, and obedient
Servant and Soldier, every way per-
forming my best Endeavours for His
Majesty's Service, obeying all Orders,
and submitting to all such Rules and
Articles of War, as are, or shall be
established by His Majesty.*

So help me God, &c.

A R T. VII.

The Pe-
nalty of
traiterous
Words a-
gainst the
King.

No Officer or Soldier shall use
any traiterous Words against the
Sacred Person of the King's most
Excellent Majesty, upon Pain of
Death.

A R T.

A R T. VIII.

Whosoever shall hold Correspondence with any of our Enemies, or shall give them Advice or Intelligence, either by Letters, Messages, Signs, or Tokens, or any Manner of Way whatsoever, shall suffer Death for it. And whatever Regiment, Troop, or Company, shall treat with the Enemy, or enter into any Condition with them, without Our Leave, or Leave of our General, or of the chief Commander in his Absence; the Officers of such Regiment, Troop, or Company, who are found Guilty, shall die for it; and of the Soldiers who shall consent thereunto, every tenth Man by Lot shall be hanged, and the rest shall be punished at the Discretion of Our General Court-Martial. But whatever Officers or Soldiers

The Penalty of corresponding with any of His Majesty's Enemies.

The Penalty of treating or entering into any Condition with the Enemy without Leave.

Duties to His Sacred Majesty, &c.

diers can prove, that they did their utmost to resist and avoid such a Treaty, and were no way Partakers of the Crime, they shall not only go free, but shall also be rewarded for their Constancy and Fidelity.

A R T. IX.

The Pen-
alty on the
Conceal-
ers and
Contrivers
of any trai-
terous Con-
spira-
cy.

Whoever shall go about to entice or persuade either Officer or Soldier, to join or engage in any traiterous or rebellious Act, either against Our Royal Person or Kingly Government, shall suffer Death for it: And whoever shall not reveal to his Superior Officer such a Conspiracy or intended Rebellion, so soon as ever it shall come to his Knowledge, shall be judged equally guilty with the Contrivers of such a Plot or Conspiracy, and consequently

Duties to His Sacred Majesty, &c.

9

requently shall suffer the same Penalty.

A R T. X.

Whoever shall presume to violate Our Safe-guard, Safe-conduct, or Protection (knowing the same) shall suffer Death, or such other Punishment as shall be inflicted on him by Our General Court-Martial.

The Penalty of violating His Majesty's Safe-Conduct.

A R T. XI.

If any Officer or Soldier shall behave himself disrespectfully towards Our General, Lieutenant-General, or other chief Commander of the Army, or speak Words tending to his Hurt or Dishonour, he shall be punished according to the Nature and Quality of the Offence,

The Penalty of disrespectful Behaviour, or dishonourable Words against the General, Lieutenant-General, or other chief Commander,

Duties towards superior
fence, by the Judgment of Our
General Court-Martial.

A R T. XII.

The Pen-
ty of draw-
ing a Sword
in the Pre-
sence of the
General,
Lieutenant
General, or
Comman-
der in chief.

He, who in the Presence of Our
General, Lieutenant-General, or other
Commander in chief, shall draw
his Sword, with a Purpose to do
any Officer, or any of his Fellow
Soldiers a Mischief, shall suffer such
Punishment as a Court-Martial shall
think fit to inflict upon him for
the said Offence.

A R T. XIII.

The Pen-
ty of vio-
lating a
Safe-con-
duct or
Protection
given by
the Gene-
ral, Lieu-
tenant-Ge-
neral, or o-

Whoever shall presume to vio-
late any Safe-conduct or Protection
given by Our General, Lieutenant-
General, or other Commander in
chief of Our Forces (knowing the
same) shall suffer Death, or such
other Punishment as shall be inflic-
ted

Officers and Commanders.

II

Our
ed on him by Our General Court-
Martial.

ther chief
Comman-
der.

A R T. XIV.

Our
ther
draw
do
allow
such
shall
for
vio-
tion
ant-
r in
the
such
flic-
ted

If any Number of Soldiers shall
presume to assemble to take Coun-
sel amongst themselves for the de-
manding their Pay, any inferior
Officers accessory thereunto shall
suffer Death for it, as the Heads
and Ringleaders of such mutinous
and seditious Meetings; and the
Soldiers shall be punished either
with Death or otherwise, at the
Discretion of Our General Court-
Martial. And if any Captain, be-
ing privy thereunto, shall not sup-
press the same, or complain of it,
he shall likewise be punished with
Death, or otherwise, as Our Gene-
ral Court-Martial shall think fit.

The Penal-
ty of un-
lawful and
mutinous
Assem-
blies.
Of inferi-
or Offi-
cers.

Of Soldiers
in Muti-
nies.

Of Cap-
tains not
suppressing
or com-
plaining
of Muti-
nies to
which
they are
privy.

C 2

A R T.

A R T. XV.

The Penal-
ty of speak-
ing muti-
nous or se-
ditious
Words.

No Officer or Soldier shall ut-
ter any Words tending to Sediti-
on, Mutiny, or Uproar, upon pain
of suffering such Punishments as
shall be inflicted on him by a
Court-Martial.

The Penal-
ty of not
revealing
mutinous
Words.

And whosoever shall hear any
mutinous or seditious Words spoken
and shall not with all possible speed
reveal the same to his Superior Of-
ficers, or Commanders, shall be
punished as a Court-Martial shall
think fit.

A R T. XVI.

The Penal-
ty of Infe-
rior Offi-
cers or Sol-
diers resist-
ing their
superior
Officers.

If any Inferior Officer or Sol-
dier, shall refuse to obey his Su-
perior Officer, or shall quarrel with
him, he shall be Cashier'd, or suf-
fer such punishment as a Court-
Martial

Duties in Marching, or in Action.

13

Martial shall think fit. But if any Soldier shall presume to resist any Officer in the Execution of his Office, or shall strike, or lift up his Hand to strike, or shall draw, or offer to draw, or lift up any Weapon against his Superior Officer, upon any pretence whatsoever, he shall suffer Death, or other condign Punishment, as Our General Court-Martial shall think fit.

The Penalty of drawing upon them, or striking them, or offering to draw or strike them:

A R T. XVII.

Every Soldier shall keep silence when the Army is Marching, Embattelling, or taking up their Quarters (to the end that their Officers may be heard, and their Orders executed) upon pain of Imprisonment, or such other punishment as a Court-Martial shall think fit, according to the Circumstances and Aggravation of the Fact.

Silence is to be kept by all Soldiers, whilst the Army is Marching, Embattelling, or taking Lodgings:

A R T.

A R T. XVIII.

The Penal-
ty of any
Man's
drawing a
Sword (but
against the
Enemy)
whilst his
Colours are
flying.

He who shall in anger draw his
Sword, whilst his Colours are fly-
ing, either in Battle, or upon the
March, unless it be against the
Enemy, shall suffer such punish-
ment as a Court-Martial shall think
fit.

A R T. XIX.

The Penal-
ty if any
one stays
behind his
Colours.

When any March is to be made,
every Man who is sworn, shall fol-
low his Colours, and whoever shall
(without leave) stay behind, or de-
part above a Mile from the Camp,
or out of the Army, without Li-
cence, shall suffer such punishment
as shall be inflicted on him by a
Court-Martial.

A R T.

A R T. XX.

When the Army, or any part of them shall march through or lodge in the Country, none of them shall extort free Quarter or Money from them, or shall commit any Waste or Spoil, or cut down Fruit-Trees, deface walks of Trees, Parks, Warrens, Fish-Ponds, Houses or Gardens, tread down or otherwise destroy Standing-Corn in the Ear, neither shall they put their Horses into Meadows without leave from their chief Officer, upon pain of severe punishment. But if any Officer or Soldier shall wilfully burn any House, Barn, Stack of Corn, Hay, or Straw, or any Ship, Boat or Carriage, or any thing which may serve for the Provision of the Army, without order from the Commander in Chief, he shall suffer Death for it.

The Penalty if any one extort free Quarter, commit any Spoil, or Waste, &c. in a March.

The Penalty of burning Houses, spoiling Corn, Hay, &c.

A R T.

A R T. XXI.

The Penal-
ty if any
one run
from his
Colours.

When the Army, or any part thereof, shall come to Engage the Enemy in Fight, whoever shall run from his Colours (be he Native or Stranger) or doth not defend them to the utmost of his Power, so long as they are in any danger, shall suffer Death for it. And whatsoever Soldier shall at any other time run away from his Colours, shall suffer Death, or such other punishment as Our General Court-Martial shall think fit.

A R T. XXII.

The Penal-
ty if a Re-
giment
shall not
behave
themselves
in Fight as

If any Regiment or command-
ed Party, shall not behave them-
selves in Fight against an Enemy
as they ought to do, they shall answer
for it before Our General Court
Martial

Martial ; and the Officer or Soldier, who shall be found faulty therein, shall suffer such Punishment as shall be thought fit to be inflicted on them by Our General Court-Martial. they ought to do.

A R T. XXIII.

When it shall please God that Our Forces shall beat the Enemy, every Man shall follow his Officer in the Chace ; but whoever shall presume to pillage or plunder till the Enemy be entirely beaten, and any Misfortune happen, he shall suffer Death, or such other Punishment as shall be pronounced against him by Our General Court-Martial, and the Pillage so gotten shall be forfeited to the Use of the sick and maimed Soldiers. The Penalty of Plundering before the Enemies be entirely beaten.

D

A R T.

A R T. XXIV.

The Penal-
ty of plun-
dering
Churches,
Hospitals,
Schools, or
Mills.

The Penal-
ty of burn-
ing them,
or offering
Violence to
Church-
men, &c.

The Penal-
ty of forc-
ing or ra-
vishing a
Woman.

When any Town or Place shall be taken (though by Assault) no Man shall presume to pillage any Church or Hospital (without Leave or necessary Reason) much less to set fire to any Church, Hospital, School, or Mill ; neither shall they offer Violence to any Church-men, aged Men, or Women, Maids or Children, unless they be found actually in Arms against them, upon Pain of Death, or other Punishment at the Discretion of Our General Court-Martial ; but whoever shall force a Woman to abuse her (whether belonging to the Enemy or not) and the Fact be sufficiently proved against him, he shall certainly suffer Death for it.

A R T.

A R T. XXV.

In what Place soever it shall please God that the Enemy shall be subdued and overcome, all the Ordnance, Ammunition, and Victuals, that shall be there found, shall be secured for Our Use, and for the better Relief of the Army ; and one tenth Part of all the Spoil shall be laid apart towards the Relief of the sick and maimed Soldiers.

The Enemies Ammunition and Victuals that shall be taken, shall be for His Majesty's Use. And a tenth of the Spoil to be laid apart for the sick and maimed Soldiers.

A R T. XXVI.

Whosoever shall take any General Officers as Prisoners, shall present them to Us, or Our General, who will reward them. And they who shall take other Prisoners, may keep to themselves the Officers and Voluntiers, giving their Names to

All General Officers that are made Prisoners, shall be presented to His Majesty.

The others
may be
kept by the
Takers,
but not put
to Ransom
without the
General's
Leave.

the Martial General; but shall not
put them to Ransom, without Our,
or Our General's Leave. And they
are immediately to send all private
Soldiers so taken to the Martial Ge-
neral, who is to take them into
Custody.

A R T. XXVII.

The Penal-
ty of being
drunk in
the En-
emies Quar-
ters, before
they have
yielded to
Mercy.

If any Soldiers shall be drunk in
the Enemies Quarters, before they
have wholly laid down their Arms
and yielded to Mercy, and any
Hurt or Mischief ensue thereon, such
drunken Soldiers shall suffer Death
for it, or such other Punishment as
Our General Court-Martial shall
think fit; but if no Damage ensue
thereby, they shall be laid in Irons,
and live on Bread and Water for
the Space of three Days.

A R T.

Duties in Camp, or in Garrison.

21

A R T. XXVIII.

All Officers, whose Charge it is, shall see the Quarters kept clean and neat, upon Pain of severe Punishment.

The Penalty of not keeping the Quarters clean.

A R T. XXIX.

No Officer shall lie out all Night from the Camp or Garrison, without his superior Officer's Leave obtained for the same, upon Pain of being punished for it as a Court-Martial shall think fit. Neither shall any Soldier or Officer go any by-way to the Camp, other than the common Way laid out for all, upon Pain of being punished as before said.

The Penalty of lying all Night out of the Camp or Garrison.

But if any Officer shall, without leave, be absent from his Quarters a Week, he shall loose one Months

The Penalty of lying out a Week or more.

Pay ;

Pay; and if longer, he shall be discharged of his Command, or Place, as a Man unfit to bear Office in the Army.

A R T. XXX.

The Penalty of shooting a Musket in the Night, after the Watch is set, unless at an Enemy.

No Soldier shall presume to make any Alarm in the Quarter, by shooting off his Musket in the Night after the Watch is set, unless it be at an Enemy, upon Pain of suffering such Punishment as a Court-Martial shall think fit.

A R T. XXXI.

The Penalty of drawing a Sword in Camp or Garrison.

No Soldier shall, in Anger, draw his Sword in any Camp, Post, or Garrison, upon Pain of suffering such Punishment as a Court-Martial shall think fit to inflict upon him for the same.

A R T

A R T. XXXII.

When Warning is given for setting the Watch, by Beat of Drum, or Sound of Trumpet, or Fife, if any Soldier shall absent himself without reasonable Cause, he shall be punished by riding a Wooden Horse, or otherwise, at the Discretion of the Commander.

The Penalty if a Soldier absent himself from the Watch when Warning is given.

And whatever Soldier shall fail at the beating of a Drum, or the Sound of a Trumpet, or Fife, or upon an Alarm given, to repair to his Colours, with his Arms decently kept and well fixed, (unless there be an evident Necessity to hinder him from the same) he shall either be clapped in Irons for it, or suffer such other Punishment as a Court-Martial shall think fit.

The Penalty if a Soldier do not at the Beat of a Drum, or Sound of Trumpet, or an Alarm, repair to his Colours.

A R T.

A R T. XXXIII.

The Penal-ty of making known the Watch-Word, or giving a false one. Whoever makes known the Watch-Word without Order, gives any other Word but what is given by the Officer, shall suffer Death, or such other Punishment as Our General Court-Martial shall think fit.

A R T. XXXIV.

The Penal-ty if a Centinel sleep when he should be upon Duty. A Centinel, who is found sleeping in any Post, Garrison, Trench or the like (while he should be upon his Duty) shall suffer Death or such other Punishment as Our General Court-Martial shall, by their Sentence, inflict for the same.

The Penal-ty if a Centinel or Perdue forsake his Place before he be relieved or drawn off, or upon Discovery of an Enemy, shall not give Warning.

Warning to his Quarters according to Direction, he shall suffer Death, or such other Punishment as Our General Court-Martial shall think fit.

relieved or drawn off.

As likewise, if any Soldier employed as a Scout, shall not go upon that Service so far as he is commanded, or having discovered an Ambush, or Approach of the Enemy, shall not return forthwith to give Notice or Warning to his Quarters, or if he enter into any House, and there or elsewhere be found sleeping or drunk, whilst he should have been upon the Service, he shall suffer Death, or such other Punishment as shall be inflicted upon him by the Sentence of the Our General Court-Martial.

The Penalty of a Scout's neglecting his Duty.

E A R T.

A R T. XXXV.

The Penalty of robbing, or abusing any who brings Provisions into the Camp or Garrison.

The Penalty if any Soldier abuse or beat his Host, his Host's Wife, Child, or Servant, or exact Free-Quarter.

Whoever shall do Violence to any who shall bring Victuals to the Camp or Garrison, or shall take his Horse or Goods, shall suffer Death, or such other Punishment as he shall be sentenced to by Our General Court-Martial.

If any shall presume to beat or abuse his Host, or the Wife, Child, or Servant of his Host, where he is quartered or billeted, he shall be put in Irons for it : And if he do it a second Time, he shall be further punished, and the Party wrong'd shall have Amends made him : And if any presume to exact Free-Quarter, without Leave of the chief Officer upon the Place, they shall be severely punished at the Discretion of a Court-Martial.

A R T.

A R T. XXXVI.

No Soldier or Officer shall use any reproachful or provoking Speech or Act to another, upon Pain of Imprisonment, and such further Punishment as a Court-Martial shall think fit.

The Penalty of reproachful or provoking Speech or Acts.

Neither shall any Officer or Soldier presume to send a Challenge to any other Officer or Soldier, to fight a Duel ; neither shall any Soldier or Officer presume to upbraid another for refusing a Challenge :

The Penalty of sending or accepting a Challenge.

For, whoever shall offend in either of these Cases, if he be an Officer, he shall lose his Place and Command, whatever it be ; and if a private Soldier, he shall ride the Wooden Horse, and be further punished as a Court-Martial shall think

Either for Officers, or private Soldiers.

And if any Corporal, or other Officer, commanding a Guard, shall

The Penalty if any Officer knowingly suffer any to go out to fight a Duel.

All Officers shall have Power to part or quell all Frays, &c.

The Penalty of going into the Field, and there drawing Swords, though no Death ensue.

willingly or knowingly, suffer either Soldiers or Officers, to go forth to a Duel, or private Fight, he shall be punished for it by the Sentence of a Court-Martial. Forasmuch as all Officers, of what Condition soever, shall have Power to part and quell all Quarrels, Frays, or sudden Disorders, between Soldiers and Officers, though of another Company, Troop, or Regiment, and to commit the disordered Persons to Prison, until their proper Officers be acquainted therewith: And whoever shall resist such an Officer (though of another Company, Troop, or Regiment) or draw his Sword upon him, shall be severely punished as our General Court-Martial shall appoint. But if two or more going into the Field to fight a Duel, shall draw their Swords, or other Weapons, and fight, though neither of them fall upon the Spot, nor die after

afterwards of any Wound there received, yet if they be Officers, they shall loose their Places; and if common Soldiers, they shall be punished with riding the Wooden Horse, or otherwise, as a Court-Martial shall direct. And lastly, in all Cases of Duels, the Seconds shall be taken as Principals, and punished accordingly.

The Seconds in all Duels shall be reputed as Principals.

A R T. XXXVII.

None shall be mustered, but such as are compleatly armed, viz. each Horseman to have for his defensive Arms, Back, Breast, and Pot, and for his offensive Arms, a Sword, not under three Foot long in the Blade, and a Case of Pistols, the Barrels whereof not to be under fourteen Inches in Length, and each Trooper of Our Guards to have a Carbine, besides the aforesaid Arms; and

Rules and Measures whereby Men shall be reputed compleatly armed fit to pass Muster.

Orders and Rules for the

and the Foot to have each Soldier a Sword, or Dagger for their Muskets, and each Pikeman a Pike of sixteen Foot long and not under; and each Musqueteer a Musquet (with a Collar of Bandaliers) the Barrel of which Musquet to be about four Foot long, and to contain a Bullet, fourteen of which shall make a Pound, running into the Barrel.

If any borrow Arms of another to pass the Muster withal, the Lender, if he be a Soldier, shall forfeit the Value of the Arms so lent, to be taken out of his Pay, and the Borrower shall be severely punished.

A R T. XXXVIII.

Lame and
impotent
Men shall
not be pre-
sented to
Muster.

None shall be allowed upon any Muster, who, by loss of Limbs, or otherwise, is unable for Our Service,

vice, but by Order from Us, or Our General.

A R T. XXXIX.

No House-keeper, or Inhabitant in the usual Quarters of Our Guards of Horse or Foot, or in the usual Quarters of any other Regiment or Garrison, shall be received or entertained into Our Service and Pay, and mustered as a private Soldier, without Order from Us, or Our General; nor shall any Officer demand or receive directly or indirectly any Sum of Money whatever, from any under his Command, for admitting and entertaining him into his Troop, Company, or Garrison, upon Pain of being cashiered, and rendered incapable of ever being employed again in the Army.

The Penalty of admitting any House-keeper or Inhabitant of the Quarters to Muster.

A R T.

A R T. XL.

The Penal-
ty of Mus-
tering any
Servant,
but those
who duly
appear,
and are fit
to serve.

No Captain of a Troop or Com-
pany shall, upon Pain of being
rendered incapable of ever serving
in Our Army any more, be allowed
to muster any Servants in his Troop
or Company, but those who are not
only fit and able for Our Service
but also are bound by Oath and
Pay to follow the Troop or Com-
pany, and who duly and constant-
ly appear at every Muster in proper
Arms, unless they have Leave to be
absent, which is not to be granted
but upon a real and good Occa-
sion. And whatever other Person
shall present Himself or his Horse
in the Muster, to mislead the Mus-
ter-Master, or defraud Us, shall suf-
fer such Punishment as Our Gene-
ral Court-Martial shall think fit.

The Penal-
ty of mis-
leading the
Muster-
Master.

A R T

A R T. XLI.

No Man shall presume to present himself to the Muster, to be enrolled in the Muster-Rolls, by a Counterfeit, or wrong Name, or Sir-name, or Place of Birth or Habitation, upon Pain of such Punishment as Our General Court-Martial shall think fit.

The Penal-
of any
Man's en-
rolling
himself by
a counter-
feit Name,
&c.

A R T. XLII.

No Officer or Soldier shall be allowed, or passed the Muster, who does not diligently attend his Duty, and appear at the Muster, unless he be absent by Our Permission, or leave from our General, or the chief officer commanding the Regiment, troop, or Company, to which he belongs.

None must
pass Mu-
ster, but
those who
attend their
Duty.

F

And

None are
to be absent
above two
Months in
the Year.

And no Officer, or Soldier is to be absent as aforesaid (without leave from Us or Our General) for above two Months in a Year.

And Commission-Officers to be always with the Troops and Companies.

And there are to be always two Commission-Officers at least with every Troop or Company, save only in the Troops of Horse and Companies of Foot which are in Garrison, of which Field-Officers and Captains, in which Troops and Companies respectively one Commission-Officer (at least) is to be present with them.

A R T. XLIII.

Those who have Passes and exceed the Time, shall not receive their Pay.

All Passes and Licences for being absent shall be brought to the Muster-Master, who is required to enter the same in a Book fairly written, to prevent Collusion; and whoever is absent longer than the Time permitted in his Pass for his Absence

shall be respited, and not allowed the Muster, without Order from Us, or Our General. But if the Commissaries General, shall upon the Muster, find too many absent from any Troop or Company at a Time, they are to complain thereof to Us, or Our General.

If the Commissaries General find too many absent, they must complain.

A R T. XLIV.

No Muster-Master shall knowingly let any pass the Musters, but such as are qualified according to the precedent Articles, upon the Penalty of losing his Place.

The Penalty if a Muster-Master let pass false Musters.

A R T. XLV.

Whatever Lieutenant, Cornet, or Ensign, shall discover, and make proof, to the General Officer or Colonel, that his Captain hath made false Musters, the said Captain

The Rewards of discovering false Musters, and Punishments if the

Accusation
be found
false or ma-
licious.

tain shall be cashiered, and the Lieutenant or Ensign discovering as aforesaid, shall have the Place of his Captain. And whatever Serjeant or Corporal shall discover and make Proof of false Musters as aforesaid, the said Serjeant or Corporal shall have for each time, the Sum of fifty Pounds payable by the Pay-Master at the first Muster immediately following the Discovery so made. But if his Accusation shall upon Examination be found false or malicious, in that Case he shall be immediately cashiered, and suffer such further Punishment as shall be judged fit by Our General Court-Martial.

A R T. XLVI.

Sick Soldiers are to have Care taken of them.

If any Soldier shall be sick, wounded, or maimed in our Service, he shall be sent out of the Camp to some fit Place for his Recovery.

lieu-covery, where he shall be provided
s a- for by the Officer appointed to
of his take care of sick and wound-
nt on ed Soldiers, and his Wages or Pay
make shall go on, and be duly paid, till it
d, the does appear that he can be no longer
ve for serviceable in Our Army, and
unds then he shall be sent by Pass to
at the his Country, with Money to bear
owing his Charges in his Travel.

A R T. XLVII.

ly ca All Captains shall use their ut-
er Pu most Endeavours to have their
fit b Troops and Companies compleat
and full, and within two Days af-
ter every General Muster, both the
Captain and Our Muster-Master shall
send to the General (if he requires
e. fic it) and to the Treasurer or Pay-
ur Se Master of the Army, a perfect List
of the Roll of all the Officers, Troopers,
his R and Soldiers, of their Troops and
cover Companies,

All Cap-
tains are to
do their
best to
have their
Troops and
Companies
compleat.

Orders and Rules for the

Companies, that are in actual Service, punctually expressing at the Foot of the Rolls, what new Officers, Troopers, and Soldiers have been entertained since the preceding Muster, in Lieu of such as have been cashiered or are deceased, with the Day when the one died or went off, and the other was entertained in his Place.

A R T. XLVIII.

All Com-
missions to
be entered
fairly in a
Book.

All Commissions granted by Us, or Our General, to any Officer in Pay, shall be brought to the Muster-Master, who is to receive and enter the same in a Book fairly written. And no Commission-Officer shall be allowed in Musters, without a Commission from Us or Our General, and the same entered with the Commissaries General of the Musters, or their Deputies, who are hereby

hereby required forthwith, and from Time to Time, to send the Officers Names to the Secretary and Judge-Advocate of Our Forces.

A R T. XLIX.

No Commission-Officer after Enrolment and being mustered, shall be dismissed or cashiered, without Order from Us, or Our General, or Our General Court-Martial. But for - Non-commission-Officers, or private Soldiers, their Captains, with the Approbation of their Colonels, or of the Governor of the Garrison where they are, may discharge them when they find Cause, taking other Non-commission-Officers or Soldiers in their Places ; provided, that such Colonel or Governor shall forthwith certify the Commissaries General of the Musters, that (by their Approbation) such Non-commission-

No Commission-Officer to be cashiered, but by Order from His Majesty, or the General, or a General Court-Martial. But Non-commission-Officers and Soldiers may be dismissed with Approbations notified to the Commissaries General.

Rules and Orders for the

mission-Officers or Soldiers were discharged, and others taken into their Places respectively. And in Quarters and Garrisons, where they are only single Troops or Companies, the Captains Certificates are forthwith to be sent and accepted by the Commissaries General, expressing the Day of each Non-commission-Officer's or Soldier's Discharge, or Death, and who was entertained in his Place.

A R T. L.

No Soldiers Duty to be done by another.

We do expressly forbid any Soldier's Duty, either of Horse or Foot, to be done by any other than the Soldier himself; but in case of Sickness and Disability, or other necessary Cause, his Captain may dispense with his Absence, without causing him to find another to serve in his stead.

A R T.

Regulation of Musters.

41

A R T. LI.

The Muster-Master shall always (the Night before) give Notice to the Officer in chief commanding any Regiment, Troop, Company, or Garrison, of the Time and Place for their Muster, that so the Officers and Soldiers may have Time to make ready for the Muster. Upon every Muster, three Muster-Rolls are to be prepared of the respective Troops and Companies, in which Rolls, the Names of all private Soldiers are to be written alphabetical-ly; one of which Rolls is to be in Parchment for the Pay-Master, and to be subscribed (together with another Roll which the Muster-Master to keep) by two Commission-Officers (at the least) of the respective Troops and Companies, and the Muster-Master; the third Muster-Roll

The Muster-Master is to give Notice of a Muster the Night before.

There are to be three Muster-Rolls, and by whom they must be subscribed and kept.

G

Roll

R T

Orders and Rules for the

Roll is to be subscribed only by the Muster-Master, which the Officer is to keep : And no Rolls are to be allowed by the Muster-Master and Pay-Master, otherwise than as We have herein directed : And the said Muster-Rolls are to be perfected forthwith upon every Muster.

A R T. LII.

The Penalty of losing or spoiling their Arms.

If any Trooper or Dragoon shall lose or spoil his Horse, or any Foot Soldier his Arms, or any Part thereof, by Negligence or Gaming he shall remain in the Quality of Pioneer or Scavenger, till he be furnished with as good as were lost at his own Charge ; and if he be not otherwise able, the one half of his Pay shall be deducted and set apart for the providing of it, till he be refurnished.

Neither

Regulation of Musters.

43

Neither shall any Soldier pawn or sell, or negligently or wilfully break his Arms, or any Part thereof, nor any Hatchets, Spades, Shovels, Pickaxes, or other Necessaries of War, upon Pain of severe Punishment at the Discretion of Our General Court-Martial.

The Penalty of pawning, selling, or breaking their Arms.

And where Arms or other Necessaries aforesaid shall be pawned, they are to be forfeited and seized for Our Use.

A R. T. LIII.

All Officers and Soldiers, and to the Muster-Masters, not duly observing these Orders and Instructions, and every of them respectively, shall be cashiered, or liable to such other Punishments as Ourself, Our General, or a Court-Martial shall point.

The Penalty of Officers and Soldiers not obeying these Orders.

G 2

A R T.

A R T. LIV.

The Penal-
ty of selling
or convey-
ing away
any Am-
munition
or Victuals.

None shall presume to spoil, sell
or convey away any Ammunition
delivered unto him, upon Pain of
suffering Death, or such other Pu-
nishment as Our General Court
Martial shall think fit.

A R T. LV.

The Penal-
ty of em-
bezzling
Victuals or
Ammuni-
tion.

No Officer, Provider, or Keeper
of our Victuals or Ammunition for
Our Forces, shall embezzle, or wil-
lingly spoil, or give a false Account
of any Part thereof, to whom he
is to make his Account, upon Pain
of suffering such Punishment
Our General Court-Martial shall
think fit.

A R

T R A

A R T. LVI.

No Commissary, or Victualler, shall bring or furnish unto the Camp any unsound or unfavoury Victuals, of what Kind soever, whereby Sickness may grow in the Army, or the Service be hindered ; and if upon Examination before Our General Court-Martial he shall be found guilty, he shall suffer such Punishment as they shall think fit.

The Penalty of providing unsound or unfavoury Victuals for the Army.

A R T. LVII.

No Officer or Soldier shall be a Victualler in the Army, without Consent and Allowance of Our General, or of the Officer in chief of the Regiment, upon Pain of being punish'd at Discretion.

No Officer or Soldier to be a Victualler without Leave.

A R T.

A R T. LVIII.

The Penal-
ty of enter-
taining Sol-
diers after
the Tattee,
and before
the Reval-
les in the
Morning.

No Victualler, or Seller of Beer, Ale, or Wine, belonging to the Army, shall entertain any Soldier in his House, Booth, Tent, or Hut, after the Warning-Piece, Tattee, or Beat of the Drum at Night, or before the Beating of the Revalles in the Morning; nor shall any Soldier (within that Time) be any where but upon his Duty, or in his Quarters; upon Pain of Punishment, both to the Soldier and Entertainer, at the Discretion of a Court-Martial.

A R T. LIX.

Every Re-
giment
may have a
Court-
Martial,
and a Pro-
vost Mar-

The Commission-Officers of every Regiment may hold a Court-Martial for that Regiment upon all necessary occasions.

There

There shall also be a Provost-Marshal of every Regiment, who shall have the same Privilege in his own Regiment, as the Provost-Marshal General hath in the Army or Camp, and such Fees also as the Court-Martial shall allow. shall, and other Officers necessary for a Court.

A R T. LX.

Those who are Judges in Our General Court-Martial, or in Regimental Court-Martials, shall hold the same Rank in those Courts, as they do in the Army for Order's sake ; and they shall take an Oath for the due Administration of Justice according to these Articles, or where these Articles assign no absolute Punishment) according to their The Duty of the Judges.

their Consciences, the best of their Understandings, and the Custom of War in the like Cases; and shall demean themselves orderly in the Hearing of Causes, (as becomes the Gravity of such a Court;) and before giving of Sentence, every Judge shall deliver his Vote or Opinion distinctly; and the Sentence is to be according to the Plurality of Votes; and if there happen to be an Equality of Votes, the President is to have a casting Voice.

The President must pronounce the Sentence.

And when Sentence is to be given the President shall pronounce it; and after that the Sentence is pronounced, the Provost-Marshal shall have Warrant to cause Execution to be done, according to the Sentence.

A R T

A R T. LXI.

At our General Court-Martials, There must
there shall be a Clerk, who is to be be a Sworn
Sworn to make true and faithful Secretary
Records of all the Proceedings of to the
that Court; and there shall be al- Court-
so such other Officers appointed, Martial
both for that, and also for the Re- General,
gimental Court-Martials, as shall be
necessary; and Our General Court-
Martial may appoint and limit the
Fees of Our Provost-Marshal Gene-
ral, as they shall think fit.

A R T. LXII.

R T All Controversies, either between Controver-
sies to be
soldiers and their Captains or other heard and
determined
H Officers,

at Regi-
mental
Court-
Martials.

Officers, or between Soldier and Soldier, relating to their Military Capacities, shall be summarily heard and determined at the next Court Martial of the Regiment.

A R T. LXIII.

There may
be Appeal
made from
the Regi-
mental
Court-
Martial, to
the General
Court-
Martial.

In any Matter which shall be adjudged in any of the aforesaid Regimental Court-Martials, either of the Parties that finds himself aggrieved may appeal to Our General Court-Martial; who are to take Care, that if the Party appealing make not good his Suggestions, Recompence be made to the Other, for the Trouble and Charge of such an Appeal.

A R

A R T. LXIV.

In all criminal Causes which concern our Crown, Our Advocate-General, or Judge-Advocate of our Army, shall inform the Court and prosecute on Our behalf.

In all criminal Causes which concern His Majesty, His Advocate-General is to follow and inform.

A R T. LXV.

No Officers or Soldiers shall presume to hinder the Provost-Marshal, his Lieutenant, or Servants, in the Execution of that Office, upon Pain of Death, or such other Punishment as a Court-Martial shall

The Penalty of hindering the Provost-Marshal in the Execution of his Duty.

think fit. But, on the contrary,

all Captains, Officers, and Soldiers, shall do their utmost to apprehend and bring to Punishment all Offenders, and shall assist the Officers of Our Army for that purpose, especially the said Provost-Marshal, his Lieutenant, and Servants. And if the Provost-Marshal, or his Officers, require the Assistance of any Officer or Soldier, in apprehending any Person, declaring to them that it is for a Capital Crime, and the Party escape for want of Aid and Assistance, the Party or Parties refusing to aid or assist, shall suffer such Punishment as a Court Martial shall inflict.

The Penalty of not assisting him.

A R T. LXVI.

The Penalty of drawing a

That Officer or Soldier, who shall presume to draw his Sword

Officers in any Place of Judicature, while the Court is sitting, shall suffer Of such Punishment as shall be inflicted on him by a Court-Martial. And We do hereby authorize Our Provost-Marshal General of Our Army, by his own Authority, to apprehend such Offenders. And of any Soldier being committed for any Offence shall break Prison, the said Provost-Marshal General shall by his own Authority apprehend him; and the Offender shall suffer Death, or such other Punishment as Our General Court-Martial shall think fit.

Sword in the Place of Judicature, while they are sitting.

The Penalty of breaking Prison.

A R T. LXVII.

If any Fray shall happen within the Camp, or Place of Garrison, in any of the Soldiers Lodgings, or where they meet, it shall be enquired

In case of a Fray, the Officers of the Regiment are to enquire in-

to it, and
see it pu-
nished.

quired into by the Officers of the Regiment, and the Beginners and Pursuers thereof punished according to the Quality of the Offence.

A R T. LXVIII.

What an
inferior
Officer
must do in
case he be
wrong'd.

If any inferior Officer, either of Horse or Foot, be wronged by his Officer, he may complain to his Colonel, or other superior Officer of the Regiment, who is to redress the same, upon due Proof made of the Wrong done him ; but if he fail therein, the Party grieved is to apply to the General Officer for Redress : And if the Accusation be false, the Complainant is to be punished at the Discretion of a Court Martial.

A R T

A R T. LXIX.

If any Colonel, or Captain, shall force or take any Thing away from any private Soldier, that Colonel or Captain shall be punished according to the Quality of the Offence, by the Judgment of Our General Court-Martial. But if a Soldier shall be wronged, and shall not appeal to the Court or his superior Commanders, but take his own Satisfaction for it, he shall be punished by the Judgment of a Court-Martial

The Penalty of an Officer forcing any thing from a Soldier.

The Penalty if a Soldier who is wronged go about to help himself.

A R T.

A R T. LXX.

The Cap-
tain is to
take care
of any Sol-
dier's
Goods
when he
dies.

And the
chief Com-
mander of
any Supe-
rior Offi-
cer's Estate.

If any Soldier die, no other shall take or spoil his Goods upon Pain of restoring double the Value to him to whom they belong, and of such further Punishments as a Court-Martial shall think fit. But the Captain of the Company of which such a Soldier was, shall take the said Goods into his Custody, and dispose of them for paying his Quarters and to keep the Overplus (if any be) for the Use of those to whom they belong, and who shall claim the same within three Months after his Death. And if any Captain or Officer die, the chief Commander shall take Care of preserving

preserving his Estate in like Manner.

A R T. LXXI.

No Provost-Marshal shall refuse to receive or keep a Prisoner sent to his Charge by Authority, or shall dismiss him without Order, upon Pain of such Punishment, as a Court-Martial shall think fit. And if the Offence for which this Prisoner was apprehended deserved Death, the Provost-Marshal failing to receive and keep him as aforesaid, shall be liable to the same Punishment.

A R T. LXXII.

If any Person be committed by the Provost-Marshal's own Authority,

The Penalty if a Provost-Marshal refuse to take a Prisoner into Custody.

If a Person be committed by the Pro-

Provost-Mar-
shal's own
Authority,
the chief
Comman-
der must
be ac-
quainted
with it.

rity, without other Command, he shall acquaint the General or other chief Commander with the Cause thereof, within twenty-four Hours, and the Provost-Marshall shall thereupon dismiss him, unless he have Order to the contrary.

A R T. LXXIII.

The Penal-
ty of using
menacing
Words,
Signs, or
Actions, in
a Place of
Judicature.

No Man shall presume to use any braving or menacing Words, Signs, or Gestures, where any of the aforesaid Courts of Justice are sitting, upon Pain of suffering such Punishment as the Court-Martial shall think fit.

A R T. LXXIV.

All Things
are to be
made
known by

Whatever is to be published, generally made known, shall

do

one by Beat of Drum or the Beat of Drum, or the Sound of Trumpet, and then obey-
other sound of Trumpet, that so no Man
Cause may pretend Ignorance thereof.
Hours, and after that, whoever shall be
there sound disobedient, or faulty, a-
have gainst what is thus published, shall
be punished according to these
articles, or the Quality of the
fact.

F I N I S.



one by Beat of Drum or the
Sound of Trumpet, that is no Man
may pretend Ignorance thereof
and after that whoever shall be
found disobedient, or faulty, a-
gainst what is thus published, shall
be punished according to these
Articles, or the Quality of the
Fact.

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